

BILL LOCKYER, Attorney General
of the State of California
TRINA L. SAUNDERS, State Bar No. 207764
Deputy Attorney General
California Department of Justice
300 South Spring Street, Suite 1702
Los Angeles, California 90013
Telephone: (213) 620-2193
Facsimile: (213) 897-9395

Attorneys for Complainant

**BEFORE THE
PHYSICAL THERAPY BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 1D 2004 63961

DOUGLAS SAYDE, P.T.

1856 Litchfield Avenue
Long Beach, California 90815

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

Physical Therapist License No. PT 16947,
Respondent.

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
above-entitled proceedings that the following matters are true:

PARTIES

1. Steven K. Hartzell ("Complainant") is the Executive Officer of the
Physical Therapy Board. He brought this action solely in his official capacity and is represented
in this matter by Bill Lockyer, Attorney General of the State of California, by Trina L. Saunders,
Deputy Attorney General.

2. Respondent Douglas Sayde, PT ("Respondent") is representing himself in
this proceeding and has chosen not to exercise his right to be represented by counsel.

3. On or about September 26, 1990, the Physical Therapy Board ("Board")
issued Physical Therapist License No. PT 16947 to Respondent. The License was in full force

1 and effect at all times relevant to the charges brought in Accusation No. 1D 2004 63961 and will
2 expire on July 31, 2006, unless renewed.

3 JURISDICTION

4 4. First Amended Accusation No. 1D 2004 63961 was filed before the Board
5 and is currently pending against Respondent. The First Amended Accusation and all other
6 statutorily required documents were properly served on Respondent on August 30, 2006.
7 Respondent timely filed his Notice of Defense contesting the Accusation. A copy of First
8 Amended Accusation No. 1D 2004 63961 is attached as Exhibit A and is incorporated herein by
9 reference.

10 ADVISEMENT AND WAIVERS

11 5. Respondent has carefully read, and understands the charges and allegations
12 in First Amended Accusation No. 1D 2004 63961. Respondent has also carefully read, and
13 understands the effects of this Stipulated Settlement and Disciplinary Order.

14 6. Respondent is fully aware of his legal rights in this matter, including the
15 right to a hearing on the charges and allegations in the First Amended Accusation; the right to be
16 represented by counsel at his own expense; the right to confront and cross-examine the witnesses
17 against him; the right to present evidence and to testify on his own behalf; the right to the
18 issuance of subpoenas to compel the attendance of witnesses and the production of documents;
19 the right to reconsideration and court review of an adverse decision; and all other rights accorded
20 by the California Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
22 each and every right set forth above.

23 CULPABILITY

24 8. Respondent admits the truth of each and every charge and allegation in
25 First Amended Accusation No. 1D 2004 63961.

26 9. Respondent agrees that his Physical Therapist License is subject to
27 discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the
28 Disciplinary Order below.

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5

4

5
6
7
8

9

10
11
12
13
14
15
16
17
18
19

20

21

22

23
24
25

26

27

28

1 a Decision whereby Respondent, as holder of Physical Therapist License No. PT 16947, by way
2 of letter from the Physical Therapy Board of California, shall be publicly reprovod for violating
3 Business and Professions Code sections 2630 and California Code of Regulations, title 16,
4 section 1399 as set forth in First Amended Accusation No. 1D 2004 63961. Issuance of said
5 public reprovod is conditional upon Respondent's full compliance with the following conditions
6 precedent:

7 1. WRITTEN EXAM ON THE LAWS & REGULATIONS GOVERNING
8 THE PRACTICE OF PHYSICAL THERAPY. Within 90 days of the effective date of this
9 decision Respondent shall take and pass the Board's written examination on the laws and
10 regulations governing the practice of physical therapy in California. If Respondent fails to pass
11 the examination, Respondent shall be suspended from the practice of physical therapy until a
12 repeat examination has been successfully passed. Failure to comply with this condition
13 constitutes a material breach of this order.

14 2. PRACTICE OR PERFORMANCE OF PHYSICAL THERAPY WHEN
15 SUBJECT TO PUBLIC REPROVAL. It is not contrary to the public interest for the Respondent
16 to practice and/or perform physical therapy after issuance of the public reprovod. Accordingly, it
17 is not the intent of the Board that this order or the fact that the Respondent has been publicly
18 reprovod shall be used as the sole basis for any third party payor to remove Respondent from any
19 list of approved providers.

20 3. FAILURE TO COMPLY WITH ORDER. A material breach by
21 Respondent of this order shall constitute unprofessional conduct and shall be a basis for further
22 disciplinary action by the Board. In such circumstances, the Complainant may reinstate the First
23 Amended Accusation in case number 1D 2004 63961, file a Second Amended Accusation and/or
24 file a supplemental accusation alleging any material breach of this order by Respondent as
25 unprofessional conduct.

26 ///

27 ///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2. It is not contrary to the public interest for Respondent to practice and/or perform his duties as a physical therapist while he is subject to this disciplinary order. It is not the intent of the Board that this order or the fact that Respondent has been publicly reprimanded shall be used as the sole basis for any third party payor to remove Respondent from any list of approved providers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on my Physical Therapist License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Physical Therapy Board of California. .

DATED: October 1, 2006.

Original Signed By: _____
DOUGLAS SAYDE, PT
Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Physical Therapy Board Department of Consumer Affairs State of California.

DATED: October 11, 2006.

BILL LOCKYER, Attorney General
of the State of California

Original Signed By: _____
TRINA L. SAUNDERS
Deputy Attorney General
Attorneys for Complainant

DOJ Matter ID: LA2006500058
Sayde Stipulated Decision.wpd

**PUBLIC REPROVAL
DRAFT**

Douglas Sayde, PT
1856 Litchfield Ave.
Long Beach, CA 90815

Re: Public Reproval Pursuant to Decision in
Case No. 1D 2004 63961
First Amended Accusation against Douglas Sayde

Dear Mr. Sayde:

On August 31, 2006, a First Amended Accusation was filed by the Physical Therapy Board of California for violation of Business and Professions Code sections 2660(d)(i), 2661 and 2239, and California Code of regulations, Title 16, section 1399.20, subdivision (a), in that you were convicted of crimes substantially related to the qualifications, functions or duties of a physical therapist pursuant to a plea agreement of misdemeanor DUI pleading guilty/nolo contendere to violating Vehicle Code Sections 23152 (a), which states, "It is unlawful for any person who is under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle" and 23152(b) which states, "It is unlawful for any person who has 0.08% or more, by weight, of alcohol in his or her blood to drive a vehicle."

You have admitted the above and have taken and passed the Board's written examination on the laws and regulations governing the practice of physical therapy in California.

Wherefore, pursuant to the authority of Business and Professions Code 495, the Physical Therapy Board of California hereby issues this public reproval.

Sincerley,

For the Physical Therapy Board
Department of Consumer Affairs

1 **BEFORE THE**
2 **PHYSICAL THERAPY BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF**
3 **CALIFORNIA**
4 **STATE OF CALIFORNIA**

4 In the Matter of the Accusation Against:

Case No. 1D 2004 63961

5 DOUGLAS SAYDE, P.T.

6 1856 Litchfield Avenue
7 Long Beach, California 90815

8 Physical Therapist License No. PT 16947

9 Respondent.
10

11 **DECISION AND ORDER**

12 The attached Stipulated Settlement and Disciplinary Order is hereby adopted by
13 the Physical Therapy Board Department of Consumer Affairs State of California, as its Decision
14 in this matter.
15

16 This Decision shall become effective on December 22, 2006.

17 It is so ORDERED November 22, 2006.
18
19
20

21 Original Signed By:
22 FOR THE PHYSICAL THERAPY BOARD DEPARTMENT OF
23 CONSUMER AFFAIRS STATE OF CALIFORNIA
24 Nancy Krueger, PT President
25
26
27
28